

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

No. 5:10-CV-596-F

MARK H. BLACK, Attorney at Law, P.C.,)
and MARK H. BLACK, Individually,)
Plaintiffs,)
v.) ORDER
FEDERAL DEPOSIT INSURANCE)
CORP., as Receiver for Beach First)
National Bank,)
Defendant.)

This matter is before the court upon the joint request of the parties for an order that would resolve Defendant's Motion to Dismiss or, in the Alternative, for Transfer of Venue.

Having considered the motion of Defendant Federal Deposit Insurance Corp., as Receiver for Beach First National Bank, and the parties' joint request to resolve Defendant's motion by transferring this case to the District of South Carolina, the court finds that because Beach First National Bank's principal place of business is in Myrtle Beach, South Carolina, the parties' request for transfer of venue is **ALLOWED** pursuant to 28 U.S.C. § 1406 and 28 U.S.C. § 1631.

Accordingly, the court ORDERS that this case shall be transferred to the United States District Court for the District of South Carolina for all further proceedings and trial, if necessary. The parties shall pay their own costs and attorney's fees, if any.

SO ORDERED.

This the 31th day of August, 2011.



JAMES C. FOX
Senior United States District Judge